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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA.

11 Plaintiff,

12 || v

13 ROBERT DALE OSTERKAMP

14 Defendant

2:03-CR-453-LKK

PRELIMINARY ORDER OF
FORFEITURE AND PUBLICATION
THEREOF

16 Based upon the plea agreement entered into between plaintiff
17 United States of America and defendant Robert Dale Osterkamp, it is
18 hereby

19 ORDERED, ADJUDGED AND DECREED as follows:

20 1. Pursuant to 21 U.S.C. § 853(a), defendant Robert Dale
21 Osterkamp's interest in the following property shall be condemned and
22 forfeited to the United States of America, to be disposed of according
23 to law:

24 a. Approximately \$18,700 in U.S. Currency,
25 seized on or about October 2, 2003, from the
 residence located at 102 Rio Del Mar,
 American Canyon, California.

1 2. The above-listed property was constitutes or is derived from
2 proceeds defendant obtained directly or indirectly as a result of the
3 commission of the violation of 21 U.S.C. §§ 841(a)(1) and 846.

4 3. Pursuant to Rule 32.2(b), the Attorney General (or a
5 designee) shall be authorized to seize the above-described property.
6 That the aforementioned forfeited property shall be seized and held
7 by the United States Marshals Service, in its secure custody and
8 control.

9 4. a. Pursuant 21 U.S.C. § 853(n) and Local Rule 83-171, the
10 United States forthwith shall publish at least once for three
11 successive weeks in the Napa Register (Napa County), a newspaper of
12 general circulation located in the county in which the above-described
13 property was seized, notice of this Order, notice of the Attorney
14 General's intent to dispose of the property in such manner as the
15 Attorney General may direct, and notice that any person, other than
16 the defendant, having or claiming a legal interest in the above-listed
17 forfeited property must file a petition with the Court within thirty
18 (30) days of the final publication of the notice or of receipt of
19 actual notice, whichever is earlier.

20 b. This notice shall state that the petition shall be for
21 a hearing to adjudicate the validity of the petitioner's alleged
22 interest in the property, shall be signed by the petitioner under
23 penalty of perjury, and shall set forth the nature and extent of the
24 petitioner's right, title or interest in the forfeited property and
25 any additional facts supporting the petitioner's claim and the relief
sought.

1 c. The United States may also, to the extent practicable,
2 provide direct written notice to any person known to have alleged an
3 interest in the property that is the subject of the Order of
4 Forfeiture, as a substitute for published notice as to those persons
5 so notified.

6 5. If a petition is timely filed, upon adjudication of all
7 third-party interests, if any, this Court will enter a Final Order of
8 Forfeiture pursuant to 21 U.S.C. § 853(a), in which all interests will
9 be addressed.

10 SO ORDERED this 12th day of July, 2005.

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